

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A communication apparatus comprising:

an instruction device adapted to instruct a communication partner to transmit data having a designated data length; and

a discrimination device adapted to discriminate a remaining storage capacity of a memory for storing data received from the communication partner ~~discriminating a status of the communication apparatus; and~~

a detection device adapted to detect a data output error in the communication apparatus,

wherein the instruction device instructs the communication partner to interrupt data transmission by setting the designated data length to zero in case that no free space remains in the memory, and halts the instruction of the data transmission in case that the data output error is detected. ~~accordance with the remaining storage capacity of the memory discriminated by the discrimination device.~~

2-4. (Canceled)

5. (Previously Presented) A communication apparatus according to claim 1,

wherein the instruction device instructs the communication partner to perform the data transmission based on a predetermined profile procedure of the Bluetooth standard.

6. (Previously Presented) A communication apparatus according to claim 5,

wherein the predetermined profile procedure is an Advanced Image Printing defined in a Basic Imaging Profile of the Bluetooth standard.

7. (Currently Amended) A communication apparatus according to claim 1, further comprising:

a storage device adapted to store a data list received from the communication partner;

a judgment device adapted to judge whether every data contained in the data list is acquired; and

~~a detection device adapted to detect a data output error in the communication apparatus;~~  
~~and~~

a disconnection request halt device adapted to halt transmission of a disconnection request requesting disconnection of communication with the communication partner in accordance with a result of judgment by the judgment device and a result of detection by the detection device.

8. (Canceled)

9. (Currently Amended) A communication apparatus according to claim 1, ~~further~~ comprising:

~~a detection device adapted to detect a data output error in the communication apparatus~~  
~~and removal of the error;~~

wherein the instruction device instructs the communication partner to perform the data transmission from data following already received data ~~in accordance with a result of~~ when the error ~~detected~~ removal detection by the detection device is removed.

10. (Currently Amended) A communication apparatus according to claim 1, further comprising:

~~a detection device adapted to detect a data output error in the communication apparatus and removal of the error;~~

wherein the instruction device instructs the communication partner to perform the data transmission from a start of data under reception ~~in accordance with a result of~~ when the error ~~detected~~ removal detection by the detection device is removed.

11. (Currently Amended) A communication apparatus according to claim 1, further comprising:

~~a detection device adapted to detect a data output error in communication apparatus and removal of the error; and~~

a judgment device adapted to, when the detection device detects the error, judge whether already received data is lost,

wherein the instruction device instructs the communication partner to perform the data transmission from a start of data under reception in accordance with a result of judgment by the judgment device and a result of error removal detection by the detection device.

12. (Currently Amended) A communication apparatus according to claim 1, further comprising:

~~a detection device adapted to detect a data output error in the communication apparatus and removal of the error; and~~

a judgment device adapted to judge a type of the error detected by the detection device wherein the instruction device instructs the communication partner to perform the data transmission from a start of data under reception in accordance with a result of judgment by the judgment device and a result of error removal detection by the detection device.

13. (Currently Amended) A communication method for a communication apparatus, comprising:

notifying a communication partner about a transmission data length; and

discriminating a remaining storage capacity of a memory for storing data received from the communication partner; and

detecting a data output error in the communication apparatus,

wherein the transmission data length that the communication partner is notified about is set at zero in case that no free space remains in the memory, and the instruction of data transmission is halted in case that the data output error is detected. ~~accordance with a result of the discrimination.~~